

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

November 1, 2004

PRESENT: Mark Decker, Acting Chairman
Terry Janicz
John Potera
Rick Meahl
Andy Kelkenberg
Don Hoeffler
Rebecca Baker, Zoning Officer
Christine Falkowski, Planning Board Clerk

The Planning Board meeting was called to order by Mark Decker at 7:30PM.

OLD BUSINESS

Minutes Review

John motioned to approve the minutes of October 18th, seconded by Rick. Motion carried.

Special Use Permits in RA Zone for Commercial Enterprise

Copies of the Towns of Clarence and Pembroke codes were distributed for review before the next meeting.

Sign Ordinance

The revised sign ordinance to include political signs was distributed and reviewed. Issues found were:

- (1) Roadside stands and political signs – size should say “not exceeding 32 square feet”; not 24.
- (2) How soon before an election can political signs be put up?
- (3) Is there a penalty or fee charged if the Town must take down if not removed within seven days following an election?
- (4) Does “election” include a primary race also?
- (5) Two-sided?

NEW BUSINESS

Preliminary Conference – Site Plan – Dog Kennel Addition

11310 Main Road – Clarence Pet Center - Thomas Zirnheld

Mr. Zirnheld stated that he has been there since 1979 and that it has been a kennel since 1946. His business cannot be seen from the road as it only has 58’ of frontage and lies 1,000 feet deep. It is next to John Smith’s property and is on bedrock. He has 38 dog runs and 12 cat runs spread out over three buildings. He wants to condense his operation by removing the runs in the other buildings and put them in a new 1400 square foot building, adding three dog runs for a total of 41. Mr. Zirnheld stated that he specializes in quality care and cleanliness.

This application went to Erie County Planning on October 18th for review, and comments should be received no later than November 17th. Copies of these comments were given to Mr. Zirnheld, along with an Agricultural Data Statement and Long Form EAF to fill out. This expansion requires a special use permit as the kennel is in the R-A zone (beyond the 500’ C-2 zone) and is permitted only upon issuance of a special use permit. After the moratorium ends on November 9th this application would not be allowed as this area will change to C-1 thus not allowing dog kennels at all. This was verified with the Town Attorney. A higher level of detail is needed on the survey submitted, such as:

- Distance of building from property lines and distance between buildings
- Location of septic
- Location of wetlands
- Lighting
- Parking, including handicapped (number of runs will determine number of parking spots)
- Site plan and engineering fee paid to the Town
- Site plan stamped by engineer (assumes liability)
- Public hearing held by Town Board
- Approval of site plan and special use permit by Town Board

Mr. Zirnheld will return once he has a completed site plan package to submit.

Site Plan – Addition – Calvary Baptist Church
12752 Lewis Road

Douglas Klotzbach, Architect, Herm Clouse and Dave Wilson attended the meeting. A complete site plan and drainage plan was submitted for the Family Life Center. Mr. Klotzbach delivered these items directly to Andrew Casolini. The addition will lie more than 30 feet from the west property line. There is parking now for 96 spots; will additional spots be required? New York State allows churches to be non-sprinklered, but not gymnasiums. Andy recommended that the next phase of improvements to the church give priority to paving the parking lot in order to keep the dust down as a consideration for neighbors.

Andy motioned to recommend approval to the Town Board with the condition that number of parking spaces is checked and drainage approved by Andrew Casolini, seconded by Don. Motion carried.

Next meeting: Monday, November 15, 2004 at 7:30PM

John made a motion to adjourn the meeting at 9:20PM, seconded by Mark. Motion carried.

Respectfully submitted,
Christine Falkowski, Recording Secretary